

# Your Rights as a Non-agricultural Worker

## Minimum wage

The minimum wage in Washington State is recalculated each year as a result of an initiative approved by voters in 1998. **Your employer is required to pay the current minimum wage.** You or your employer can learn the current minimum wage by:

- Visiting the L&I web site at [www.LNI.wa.gov](http://www.LNI.wa.gov)
- Calling a local L&I office
- Calling L&I's Employment Standards information line, 360-902-5316

## Work week

The work week in this establishment is \_\_\_\_\_ (day of week) through \_\_\_\_\_ (day of week).

## Overtime

You must be paid one and one-half times your regular rate of pay for hours worked over 40 in a work week regardless of your pay basis (i.e., hourly, salary, piece rate, commission or flat rate). You cannot waive this right, even if you and your employer agree. If you are an executive, administrative or professional employee, or work as an outside salesperson and are paid on a salary basis, you may be exempt from overtime under WAC 296-128 (510-540).

Other exemptions or exceptions may apply based on the nature of your employment. See RCW 49.46.130.

## Working conditions

You are entitled to a **meal period** of at least 30 minutes if you work more than five hours in a day. If you are required to remain on duty during your meal period, you must be paid for that time.

You are entitled to at least a 10-minute paid **rest break** for each four hours worked.

If you lift or move more than 20 pounds as a normal part of your duties, you must be taught proper lifting techniques.

## Pay periods

You must be paid at least once a month for every month you work on a regularly scheduled pay day. The regularly scheduled pay date(s) in this establishment is/are \_\_\_\_\_.

Each time you are paid, you must receive a statement showing the days or hours you worked, your rate(s) of pay, your gross wages and all deductions taken.

## Deductions

Your employer may withhold money from your wages only when required to do so by state or federal law or when you have authorized a deduction in writing in advance for a lawful purpose that benefits you and not the employer.

## Employment records and inspections

Your employer must record your name, address, occupation, rate of pay, the amount you receive each pay period and the hours or days you work. **These records must be made available to you upon request at any reasonable time.**

You are entitled to review your personnel file at least once a year. You may petition to have items in the file removed. If items are left in the file, you may write a rebuttal or correction that also must be kept in the file.

Under state law, the Department of Labor and Industries (L&I) has the right to investigate the wages, hours and working conditions of all employees covered by the Industrial Welfare and Minimum Wage acts.

## Variances

L&I may grant variances from employment standards. For information on variances, contact your local L&I office.

## Complaints

L&I has the right to investigate the wages, hours and working conditions of all employers. You may file a complaint with your local L&I office if you feel any of these laws are being violated.

## Penalties

Employers who violate child labor rules may be fined up to \$1,000 per minor, per occurrence.

An employer who is convicted of violating provisions of the Minimum Wage Act or of discriminating against an employee for filing a minimum wage complaint will be guilty of a gross misdemeanor.

## Appeals

Any person, firm or corporation may appeal an action or decision made by L&I. Contact your local L&I office to learn more about the appeals process.

## Workers under age 18

The minimum wage for 16- and 17-year old workers is the same as for adults. Minors under 16 may be paid 85 percent of the state minimum wage.

Employers who hire workers under age 18 must have a minor work permit endorsement. If you are under 18, your employer needs to provide you with a Parent/School Authorization form. Prior to beginning work, you must give your employer proof of your age and the authorization form signed by your legal guardian. If you plan to work during the school year, the school district must also sign the authorization form. Your employer needs to renew the Parent/School Authorization when it expires every year in September.

Fourteen and 15-year old workers may not work more than four hours without a 30-minute uninterrupted meal period. The meal period must be separate and distinct from, and in addition to, rest breaks. If you are 14 or 15, you must be provided a paid rest break of at least 10 minutes for every two hours worked. When working a four-hour period, you cannot be required to work more than two hours without either a 10-minute rest break or a 30-minute meal period.

Sixteen and 17-year-old workers are entitled to an uninterrupted meal period of at least 30 minutes when working more than five hours in a day. If you are 16 or 17, you are entitled to at least a 10-minute paid rest break for each four hours worked. You must receive a rest break at least every three hours.

A responsible adult must be present when you work after 8 p.m. in a service occupation where you have public contact.

Minors in non-agricultural employment may work the following days and hours:				
	14- and 15-year-olds		16- and 17-year-olds	
	School	Non-school*	School	Non-school**
Hours a day	3 hours 8 hours Sat. - Sun.	8 hours	4 hours 8 hours Fri. - Sun.	8 hours
Hours a week	16 hours	40 hours	20/28***	48 hours
Days a week	6 days	6 days	6 days	6 days
Start	7 a.m.	7 a.m.	7 a.m.	5 a.m.
Quit	7 p.m.	9 p.m.	10 p.m. Midnight Fri. - Sat.	Midnight
<i>Note: Where applicable, hours listed for 14- and 15-year-olds reflect the more-restrictive federal laws. * Non-school time for ages 14 and 15 is June 1 through Labor Day. ** Non-school time for ages 16 and 17 is during all school vacations. *** For 16- and 17-year-old workers only, six-hour shifts and up to 28 hours per week are available through a special variance from the school district.</i>				

**Prohibited duties for minor employees.** Experience has shown that some job duties are potentially hazardous for young workers. Certain jobs and duties are prohibited for workers under age 18 and others for workers under 16. To obtain the list of prohibited duties, visit L&I's teen worker web site at [www.LNI.wa.gov/WorkplaceRights/TeenWorkers/](http://www.LNI.wa.gov/WorkplaceRights/TeenWorkers/), call your local L&I office or call 360-902-5316.

## More information on your rights as a worker

For more information on these laws or for more copies of this poster, contact your local L&I office (listed as “Labor and Industries, Department of” in the government section of your telephone book) or call 360-902-5316. You also may visit the L&I web site: [www.LNI.wa.gov/WorkplaceRights/](http://www.LNI.wa.gov/WorkplaceRights/)

# Family Leave Provisions

## Leave for care of a newborn/family member

The federal Family and Medical Leave Act requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to “eligible” employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

For additional information, contact the nearest office of the U.S. Department of Labor, Wage and Hour Division, listed in your telephone directory. The toll-free number is 1-866-487-9243.

## Family care/use of paid leave

Effective January 1, 2003, if you work for an employer who has an established paid leave policy (sick, vacation or other paid time off), your employer must let you use your choice of any paid leave to care for sick family members. Family members include: children under age 18 with health conditions that require supervision or treatment; spouse, parent, parent-in-law or grandparent with a serious or emergency health condition; or an adult son or daughter incapable of self-care due to a disability.

Employers may not discharge, penalize or discriminate against workers who exercise the right to use leave for such purposes or for filing a complaint about an alleged violation of these leave laws.

## Pregnancy disability/discrimination

Discrimination because of pregnancy or pregnancy disability is sex discrimination and a violation of state law (RCW 49.60.180). For more information or a copy of the state’s maternity regulations (WAC 162-30-020), contact the Washington State Human Rights Commission at 360-753-6770.



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